Mr. N. G. Sanjeeviah.—

Have not the Bangalore Disturbances Enquiry Committee, presided over by Sir M. Visvesvaraya, considered that unemployed educated classes were responsible for the disturbances ?

Second Member of Council.—

Government do not consider so.

Mr. N. G. Sanjeeviah.—

Was that Committee not appointed by Government themselves ?

Second Member of Council.—

That does not arise out of the question.

Mr. H. C. Dasappa.—

Is it not desirable to give more prominence to Applied Science ?

Second Member of Council.—

It might be done.

GOVERNMENT BUSINESS.

II. General Principles of the Bill further to amend the Mysore Municipal Regulation, 1906.

THE SECRETARY TO GOVERNMENT, LAW DEPARTMENT, explained the general principles of the Bill as follows:—

The present Municipal Regulation does not provide for a license being obtained from the Municipal Council to burn bricks for other than trade purposes.

2. As the places generally used for burning bricks for other than trade purposes are situated in the midst of inhabited houses they are a source of nuisance to the neighbourhood. It is therefore proposed to amend the present Regulation so as to enable the Municipal Councils to insist upon licenses being taken out for burning bricks for other than trade purposes.

3. A draft Bill further to amend the Mysore Municipal Regulation, 1906, has been prepared and placed before the Representative Assembly for expression of their views.

Bill further to amend the Mysore Municipal Regulation.

Whereas it is expedient further to amend the Mysore Municipal Regulation, 1906, it is hereby enacted as follows:—

After Section 138, the following new section shall be inserted:—

"138A. It shall be lawful for the Municipal Council to publish by a notification in the Official Gazette and by beat of drum that no place within Municipal limits shall be used for burning bricks for other than trade purposes without a license from the Municipal Council and except in accordance with the conditions specified therein.

Licenses to be taken for burning bricks for other than trade purposes.

Provided that no such notification shall take effect until 60 days from the date of publication.

(2) Any person who, after the publication of such notification, wishes to use such place for such purpose shall apply to the Municipal Council for a license therefor.

(3) The Municipal Council may, by an order and under such restrictions as they think fit, grant or refuse to grant such license.

(4) Every such license shall expire on such date as may be specified therein."

Statement of Objects and Reasons.

Under Section 151 of the Mysore Municipal Regulation, it is not necessary to obtain a license from the Municipal Council to burn bricks for other than trade purposes. Usually the places used for burning bricks for other than trade purposes are in the midst of inhabited houses and are a source of nuisance to the neighbourhood. In order to abate this nuisance and enable the Municipal Councils to insist upon licenses being taken out for burning bricks for other than trade purposes, it is proposed to amend the Mysore Municipal Regulation, as above.

MR. D. S. MALLAPPA observed that it was a very necessary piece of legislation.

KHAN BAHADUR MAHOMED ABBAS KHAN said that on account of the absence of any such provision of law in the Municipal Regulation, people in Bangalore City were put to a lot of inconvenience and danger due to the burning

of bricks in the midst of inhabited houses. He did not suggest that licenses should be refused to those who burnt bricks for their own purposes in the extensions; but nobody should be permitted to do so for trade purposes without licenses.

THE SECOND MEMBER OF COUNCIL replied that that was exactly the object of the Bill.

In reply to Mr. Satyanarayana Setty, THE SECOND MEMBER OF COUNCIL said that there was no prohibition at present against any one burning bricks wherever he pleased. The object of the Bill was only to control indiscriminate burning of bricks in inhabited places also.

MR. DAKAPPA enquired whether any fee would be levied.

THE SECOND MEMBER OF COUNCIL replied that it would be necessary to levy a small fee.

MR. SATYANARAYANA SETTY urged that proper safeguards should be taken so as not to discourage the building of houses altogether by reason of this amendment.

THE SECOND MEMBER OF COUNCIL said that it would certainly be done.

MESSRS. KHAN BAHADUR MAHOMED ABBAS KHAN, D. S. MALLAPPA, B. SRINIVASIENGAR and many other members required the Bill to be made applicable to all Municipalities and not confined to Bangalore City only. This was agreed to by the Second Member of Council.

MR. E. KRISHNAPPA was of opinion that if permission was refused to burn bricks in a particular place, the Municipality should be asked to provide some other place to the party within a radius of a mile from the Municipal limits.

The general principles were thereupon agreed to.

III. General Principles of the Bill to further amend the Village Panchayet Regulation, 1926.

THE SECRETARY TO GOVERNMENT, LAW DEPARTMENT, explained the general principles of the Bill, as follows:—

There is at present no provision in the Village Panchayet Regulation, as in the Municipal and District Board Regulations, for the removal of the members of Village Panchayets who absent themselves without leave. It is therefore proposed to amend the Village Panchayet Regulation so as to provide for the members of the Village Panchayets who absent themselves without the leave of the Panchayets

for more than three consecutive meetings of the Panchayet concerned.

A Bill further to amend the Panchayet Regulation has been prepared and placed before the Representative Assembly for expression of their views.

Whereas it is expedient to further amend the Mysore Village Panchayet Regulation, 1926, in certain particulars, it is hereby enacted as follows:—

In Sub-Section 2 of Section 13 of the said Regulation, between the words " elected or appointed," and " he shall cease," the following shall be inserted, namely, " or absents himself without the leave of the Panchayet for more than three consecutive meetings of the Panchayet."

Statement of Objects and Reasons.

This amendment is proposed to provide for the removal of members of Village Panchayets who absent themselves without the leave of the Panchayets for more than three consecutive meetings of the Panchayet. There are provisions in the existing Municipal and District Board Regulations for removing such of those members as absented themselves for certain periods from the meetings of those bodies.

KHAN BAHADUR MAHOMED ABBAS KHAN pointed out that three meetings of a Village Panchayet might be held in one and the same month; in such cases, if any member who might be absent from the place did not attend all the three meetings he would automatically cease to be a member of the Panchayet. This would work as a hardship. It would be more reasonable to fix a minimum period of time within which every member should attend at least one meeting of the Panchayet. He suggested that a period of 4 months might be fixed for the purpose.

THE SECOND MEMBER OF COUNCIL replied that it was a matter of detail and would be noted for consideration at the Select Committee stage.

MR. CHANNABASAPPA said that the enactment of such a provision would work as a very great hardship in the actual working of the Village Panchayets. In the existing state of things, meetings were not held regularly, people did not offer themselves for election generally, and even if they were elected it was difficult to persuade them to attend the meetings at all. If such a provision, placing restriction on the members, were passed, he thought that re-elections would

be a common feature in the Village Panchayets and that, in the existing state of illiteracy in the country, such a provision was not called for. He agreed that the measure was a useful one but that it might be introduced some time later.

In agreeing with the above view, MESSRS. JATRE NAIK and NANJAPPA thought that if members were once unseated, it would be very difficult to get proper substitutes to fill their places.

As against this view, a few other members were of opinion that the provision would be a very useful measure as very little work was being done by the Panchayets at present and that it would awaken them to a sense of duty.

MR. S. C. MALLAIYA, while agreeing that the measure was really useful, observed that the general level of intelligence of Panchayet members being very low, they did not realize their responsibilities properly, with the result that they had for the most part to be forced to attend meetings. Another practical inconvenience that was brought to notice by him was that as there were factions in the villages, it would make it possible for one faction to arrange for meetings of the Panchayets at short intervals with a view to get particular individuals belonging to the other faction and absent from the place, unseated. He therefore considered that it was better to postpone the Bill under reference, for some time to come.

MESSRS. KESAVAIYA of Belur, DHARMAPRAKASA BANUMIAH, SIDDALINGA DEVARU and many other members were also in favour of deferring the consideration of the measure.

THE DEWAN stated that Government would note that the House was generally opposed to the introduction of the Bill.

IV. General Principles of the Bill to amend the Code of Civil Procedure.

THE SECRETARY TO GOVERNMENT, LAW DEPARTMENT, explained the general principles of the Bill, as follows:—

The object of the amendment in view is to bring the Jillo Forces which form part of the Palace Troops, within the definition of "Palace Troops" in Section 2 (14. A) of the Civil Procedure Code. It is also proposed in this connection to replace the obsolete names of some of the units of the Mysore Military Forces specified in the definition of this expression in Section 2 (13 A) of the Code, by their current designations.

MR. N. SURAPPA enquired the source from which the

pay of the Jillo Forces was met, and the LAW SECRETARY explained that it was met from Palace funds.

MR. P. SUBBARAMA CHETTY asked whether such matters, which concerned the Palace, could be discussed by the Assembly.

THE LAW SECRETARY replied that there was nothing against it as this was a matter pertaining to the operation of the Civil Procedure Code.

MR. S. VENKATESAIYA explained that if the Jillo Forces could be brought under the operation of the Military Regulation, they could be brought under the Civil Procedure Code as well. Without the former being done, he did not think the latter could be done.

THE THIRD MEMBER OF COUNCIL said that these Forces were in the same position, so far as the Military Regulation was concerned, as any of the other Palace Forces.

THE LAW SECRETARY explained that, under certain provisions of the Civil Procedure Code, the property of persons belonging to particular Forces could not be attached. The Palace Troops came under the operation of those provisions but not the Jillo Forces, and the object of the amendments was to extend the benefit of the exemption to the Jillo Forces also.

MR. L. VEMA REDDY observed that the amendment was a harmless one and might be accepted.

The principles of the measure were agreed to unanimously.

V. Statement of General Principles of a Bill to amend the Indian Penal Code as in force in Mysore.

THE LAW SECRETARY explained the general principles of the Bill as follows:—

As the law stands at present, a Palace officer would not be liable to punishment in a court of law for taking bribes or doing other misdeeds under Sections 162 to 171 of the Indian Penal Code. It is therefore considered necessary to amend Section 21 of the Indian Penal Code so as to include the employees of the Palace Establishments also in the definition of Public Servants.

Bill further to amend the Indian Penal Code as in force in Mysore.

Whereas it is expedient further to amend the Indian Penal Code as in force in Mysore, it is hereby enacted as follows:—

In Section 21 of the Code, after clause "Eleventh" the following clause shall be added:—

"Twelfth.—Every officer whose duty it is, as such officer, to take, receive, keep or expend any property on behalf of the Palace, or to investigate or to report on matter affecting the pecuniary interests of the Palace, or to make, authenticate or keep any document relating to the pecuniary interests of the Palace, and every officer in the service or pay of the Palace."

MR. K. T. BHASHYAM IYENGAR raised a point of order and stated that the Bill could not be taken up for consideration as it was printed only on the 11th October and supplied to the members subsequent to that date. Under the rules, no Bill could be taken up unless the statement of its general principles was placed in the hands of the members at least ten days before the matter came up for discussion.

THE DEWAN replied that the House had the liberty to waive that rule if it so desired.

MR. HOSAKOPPA KRISHNA RAO and MR. S. VENKATESAIYA contended that the House itself had not that privilege.

MR. N. G. SANJEEVIAH and KHAN BAHADUR MAHOMED ABBAS KHAN stated that the House had an inherent right to pass any Bill even without the ten days' notice.

MR. BELUR SRINIVASIENGAR however held that there was no such inherency whatever. He added that if the rules in this behalf were not followed, it might create a bad precedent

As however the rules were not explicit on the point, the discussion of the Bill was put off pending the issue of the necessary rules in the matter.

PRIVATE BILL.

Bill to Amend the Civil Procedure Code.

The statement printed below furnished by Mr. N. G. Sanjeeviah was placed before the Assembly for consideration:—

"As the law now stands salary by way of pension whatever the amount may be is exempted from attachment by the Civil Courts. The principle underlying is that the amount of the pension is given as a grant for maintenance of the family. On this analogy, salaries which are insufficient